



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.2573 of 2018

and

W.M.P. (MD) .No.2770 of 2018

K.Kanakaraj

...Petitioner

Vs.

1. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Vannarpettai, Tirunelveli.

2. The Branch Manager,
Tuticorin Urban Branch,
Tamil Nadu State Transport Corporation,
Tuticorin.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to issue the regular bus route to the petitioner from Tuticorin to Salem, in which the petitioner is acting for more than five years or issue some other permanent routes within a time frame as fixed by this Court.

For Petitioner : Mr.K.Vinayagan

For Respondents : Mr.K.Sathyasingh

ORDER

Heard the learned counsel on either side.

2.By consent of both the parties, the main Writ Petition is taken up for final disposal.

3.The petitioner is working as a conductor in the respondent/Corporation. His grievance is that on account of short fall in collection, a sum of Rs.300/- was recovered from his monthly salary as penalty. Since he filed a case against the Management, he is being victimised by asking him to act as a Conductor on different routes. The petitioner is admittedly on the verge of retirement. He has been working as Conductor since 1989. Therefore, there is substance in his complaint that he can't be treated as a Daily wages employee. He had given a representation dated 21.12.2017, regarding this unfair labour practice.



4. Therefore, the first respondent is directed to consider the representation dated 21.12.2017, submitted by the petitioner and pass appropriate orders on merits and in accordance with law by allotting him a regular duty. Such orders shall be passed on or before 31.06.2018.

5. The Writ Petition is allowed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Division,
Vannarpettai, Tirunelveli.
2. The Branch Manager,
Tuticorin Urban Branch,
Tamil Nadu State Transport Corporation,
Tuticorin.

+1cc to Mr.K.Vinayagan, Advocate SR.No.50793

TSG

VB/SKN/RSK/SAR3/12.06.2018/2P/4C

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